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PART-I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

HORTICULTURE DEPARTMENT

Notification

The 25th July, 2023

No. 1441-Agri.1(5)-2023/5884.— In exercise the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following Online Transfer Policy for the Government employees:—

1. **Vision:** To ensure equitable distribution of employees of Horticulture Department, Haryana at different locations in a fair and transparent manner and to maximize the job satisfaction amongst employees and further to improve the performance of Horticulture Department, Haryana.
2. **Application:** This policy shall be applicable to the posts mentioned in schedule-A appended to this policy. Whenever the department creates a new transferrable post then it will be part of the schedule-A.
3. **Definitions:**

In this policy, unless the context requires otherwise;

- (ii) **'Blocked Posts'** means the vacancies of a cadre that remain unfilled at any given point of time due to shortage of employees in the department or the posts where specifically trained persons are required/posted e.g. Scientific Officer etc.
- (iii) **'Prescribed tenure'** means the time period for which an employee, eligible to be transferred under this policy, shall be allowed to get posting at a station. This period can be continuous or in parts due to different posting at different times. For calculation of tenure of posting, the time spent even on temporary administrative deployment, as against a regular posting, at a station, shall be taken into account.
- (iv) **'Service'** means duty period and all kinds of leave including extraordinary leave availed by a Govt. employee during the prescribed tenure.
- (v) **'Employees of Special Category'** means the blind employees or the differently abled employees or their child (ren) and spouse, women employees, women headed households, widows, widowers, couple case, employees suffering from Diseases of Debilitating Disorder.
- (vi) **'Station'** means the place of posting. One district/Centre of Excellence/Govt. Garden Nursery/Block will be one place of posting for their respective cadres. Likewise, Head Quarter is also a place of posting.
- (vii) **'Vacant Post for transfer'** means
 - (a) a post not occupied by any employee;
 - (b) a post presently occupied by an employee for a period of three years or more;
 - (c) a post on which an employee has been appointed by temporary transfer or due to non-availability of online transfer drive.

- (d) a post occupied by an employee who has been adjudged eligible and allowed by the competent authority to participate in general transfer drive even if he has not completed the prescribed tenure in station where he is presently posted.
- Note 1-** Where there are **Blocked Posts** in a cadre the same shall be excluded from the number of **vacant posts for transfer**.
- Note 2-** The post against which an employee has been posted/transferred on compulsion of litigation nature shall also not be included in the vacant posts for transfer.
- Note 3-** Total vacant posts shall be determined and notified before the transfer drive every year.
- (viii) **‘Officers of Doubtful Integrity’** (ODI) means the employees who are convicted in a court of law or awarded major penalty in criminal or disciplinary proceedings respectively, on charges of lack of integrity, or for an offence involving moral turpitude or against whom such proceedings are pending. An ODI list approved and updated by the head of department shall be regularly published on the website of the department.
- (ix) **‘Sensitive Station’** means the stations having top seven slots of revenue generation in the list of all stations. The list of sensitive stations shall be prepared by 1st March every year.

4. Basic Principles:

- (a) **Time Schedule for online transfers:**
- (i) Periodicity of the transfer: transfers shall be made only once in a year. However, transfer/postings necessitated by promotions/ direct recruitments, posts needed to be filled up in public interest, can be made anytime.
- (ii) The following time schedule shall be followed, so far as feasible.
- Rationalization of posts, preparation of provisional actual vacancy list, deemed vacancy list, list of vacancies to be filled/blocked shall be prepared and circulated/ provided before transfer drive every year.
 - Employees of the department must fill their preferences for as many choices of stations as he/she is eligible for, on or before 10th of March of every year, or any other date fixed by the department for this purpose on the portal, failing which department shall be on liberty to transfer the employees on the available vacant posts at any station.
 - Transfer orders shall be issued by 20th March or any other date fixed by the department for this purpose every year against vacancies accrued any other date fixed by the department for this purpose.
- (b) Qualifying date of actual vacancies, deemed vacancies, count of stay shall be 31st March of the calendar year of transfer.
- The option for transfer to particular station, once availed and confirmed, shall be final and cannot be changed. Unless protected under a provision of this policy, every employee having three years of stay/tenure on a particular station has to be compulsory shifted to another station. However, this protection of three years shall not be available who has been posted in view of para 3 Clause VI (c) and employee declared surplus due to rationalization as provided in para 8 (vi).
 - Tenure of postings at any station shall not exceed three years. An employee, normally, has 35 years of service. In the Horticulture Department Haryana at present there are 194 stations of posting (22 District Head Quarters + 11 Centres + 3 Food Technology Centres + 2 Quality Control Labs + 1 State Sericulture Officer + 15 Govt. Garden & Nurseries+ 140 Blocks + 1 Head Quarter). These Centres may increase or decrease depending upon new sanctioning of posts or rationalization of posts. If an employee is allowed three years of tenure of posting then he/she will be rotated at nearly 12 stations in his/her career. Tenure of posting beyond three years is not in the public interest keeping in view the public dealing nature of work of this department. While calculating the tenure of an employee for the purpose of this policy, the date from which someone is working at a station on 31st March of the calendar year of transfer shall be counted irrespective of the fact he has been appointed by temporary transfer/ attachment or otherwise.
 - In case any employee who is eligible for compulsory transfer does not submit his/her preference for a station, then he/she will be liable to be posted anywhere as per the vacancy and terms of the policy. Once posted at one station, he/she shall be eligible to seek transfer only after completion of one year of stay at that station.
 - Any employee who has completed three years of stay in a particular station cannot opt for his transfer to the same station.

- (v) An employee, during his service in one cadre, cannot be posted at the same station for more than three years.
Explanation: If an employee of Clerk cadre remained as clerk for 8 years, then such employee cannot be posted at the same station for more than three years as clerk. But upon promotion as Accountant he can be posted for three more years as Accountant at the station where he remained posted as Clerk. However, the posting at any station shall be determined by the merit criteria of this policy.
- (vi) An employee figuring in the ODI list shall not be posted at any of the sensitive stations.
- (vii) An employee having 12 months or less of service till retirement shall not be transferred, if he/she is not willing to participate in transfer drive without any administrative reason.
- (viii) No request for mutual transfer shall be considerable.
- (ix) A Committee headed by the Deputy Commissioner and comprising the CMO and District Officer of the concerned Department, may recommend deputation/temporary transfer of an employee after transfer drive and joining, on the basis of genuine and compelling reasons. Such recommendations shall be submitted on the web portal of the department. The Department will scrutinize such cases and send their recommendations to the Govt. which will be dealt under relaxation clause of Transfer Policy.
- (x) Employees transferred on administrative grounds of misconduct shall not be transferred back to the same office from where they were transferred.
- (c) **Main features:**
 - (i) The transfer policy shall be implemented using online web application software with data entered in HRMS. Data of all transferable posts shall be kept updated in the HRMS. For a post to be transferable, it must have been distributed to at least 12 stations to open up enough options for transfer of an employee in his career.
 - (d) **Rationalization and blocking of posts:** To avoid disproportionate concentration of employees at a particular station, or to see importance of particular post namely Scientific Officer, the department shall rationalize sanctioned posts and also block actual vacant posts to be kept vacant in the transfer drive. In the long run, however, the departments may increase/decrease the total number of sanctioned posts with the approval of the Government.
- 5. **Merit Criteria for allotment of posts:**
 - (a) Merit for allotment of vacant post of an employee shall be based on the total composite score of points earned by the employee as described below. The employee earning the highest points shall be entitled to be transferred against a particular vacancy.
 - (b) District Horticulture Officer and equivalent
An officer of District Horticulture Officer & equivalent cadre shall remain posted as District Horticulture Officer on rotation basis for a maximum period of three years on merit. e.g. if an DHO & equivalent cadre officer who have availed posting as District Horticulture Officer for a cumulative period of three years, then he/she will be posted again as District Horticulture Officer only after a period when all other willing officers in same cadre have completed their tenure of three years as District Horticulture Officer unless the particular post is blocked. No officer will be eligible to give choice for posting as District Horticulture Officer before completing two years' cooling period after his transfer from the post of DHO.
An officer who has completed 3 years (cumulative) period as District Horticulture Officer shall be transferred to other post like SMS etc. and the post of DHO will be considered as vacant and included in the transfer drive.
 - (c) Horticulture Development Officer and equivalent
The Horticulture Development Officer & equivalent shall remain posted at one station for a maximum period of five years. He/she can only fill the choice of that station after completing one year' schooling period.
 - (d) Accountant
The Accountant shall remain posted at one station for a maximum period of three years. He/she can only fill the choice of that station after completing one year' schooling period.
 - (e) Clerk (field offices)
The Clerk shall remain posted at one station for a maximum period of three years. He/she can only fill the choice of that station after completing one year'scooling period.
 - (f) Any SMS & equivalent who has undergone training for specific technology specially in foreign countries, he/she has to compulsorily serve at that particular station of posting for a period of six years as SMS & equivalent at a station from where he has gone for training. This condition will not apply to the DHOs.

- (g) Age shall be the prime factor for deciding the claim of an employee against a vacancy since it shall have maximum weightage of 60 points, out of total points.
- (h) A privilege of maximum 20 points can be availed by the employees of special categories as indicated hereinafter.
- (i) For posting as District Horticulture Officer, the willing officers have to pass a test for the departmental activities, schemes and technologies to be conducted by an independent agency. It shall have maximum weightage of 10 points.
- (j) Criteria for calculation of merit points to consider for deciding competitive claims of transfer to the stations:

(A) **Age:** The first set of merit points will be the Age of the Government employee concerned enumerated below:-

Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for calculation
1.	Age (Present date i.e. (1st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points	60	Age in number of days ÷ 365 (Maximum four decimal points only)

(B) **Special category:-**

The second set of merit points will come from the Special Category enumerated hereinafter:-

Sr. No.	Major factor	Sub factor	Max. points	Criteria for calculation
1	Gender	Female	10	10 points shall be given to all female employees
2	Special category female employees	Widow/divorced/separated/unmarried female employee more than 40 years of age/ wife of serving Military personnel / Paramilitary personnel working outside the State.	10	All female of this category shall be given 10 marks only.
3	Special category male employees	Widower who has not remarried and has one or more minor children and/or unmarried daughter(s)	5	Eligible widowers shall be given 5 points only.
4	Differently abled persons	Vision	20	40% to 60% disability=10 marks
		Locomotors	20	Above 60% to 80%= 15 marks
		Deaf & Dumb	20	Above 80%= 20 marks
5	Disease of "Debilitating Disorders"	Self/ Spouse/unmarried Children	10	Valid certificate issued during last one year by AIIMS (including its branches in Haryana), PGI, Rohtak, PGI, Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI, Chandigarh, Medical College of Haryana Govt. or a Medical Board so constituted.
6	Couple case	Male/Female employees.	5	Employees' spouses working in any department / board / corporations under any State Govt. or Govt. of India.
7	Eligibility Test for posting as District Horticulture Officer	Male/Female employees.	10	For posting as District Horticulture Officer, the willing officers have to pass a test for the departmental activities, schemes and technologies to be conducted by an independent agency.

- (k) Notwithstanding anything contained in this policy the provision of compulsory transfer after three years from a station shall not apply to the following category of employees, subject to provisions of para 6 (vi) and para 8 (v):
- who are 100% blind
 - having 80% or more locomotors disabilities involving both the legs,
 - currently suffering from cancer;
 - currently undergoing dialysis.
 - Male/Female employee having mentally challenged or 100% differently abled child.

However, they shall be free to willingly participate in a transfer drive. If they do so, they shall be allotted 81 merit points to decide the competitive claims of transfer to any station. The rationale behind allotting 81 merit points to this category is that these employees are severely incapacitated, so they should not be forced to compete with other employees of special category of para 7(d) (B).

Note: The benefits under this para shall be available only on the basis of a valid medical certificate issued during last one year by AIIMS (including its branches in Haryana), PGI, Rohtak, PGI, Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI, Chandigarh, Medical College of Haryana Govt. or a Medical Board so constituted.

6. Procedure to be adopted:

- Head of Department shall seek preferences for choice of station from the eligible employees for transfer. The transfer exercise shall be carried out only through approved web based application.
- The option once availed and confirmed by the employees shall be final and cannot be changed.
- Merit criteria for allotment of station will be as per para 5 above.
- An employee having 12 months or less in retirement from the qualifying date shall not be transferred if they are not willing to participate in transfer drive.
- In a grave administrative exigency, for reasons to be recorded in writing, the department shall be at liberty to post any employee at any station. This provision shall be invoked only in rarest of rare cases.
- Employees declared surplus from a station as part of the rationalization of posts shall compulsory participate in the transfer drive, even if employee has not completed the three years tenure on that station. In case of their non-participation in transfer drive for any reason their salary from such posts shall be stopped and the department shall be at liberty to post them at any office to District Horticulture Officer/Centres of Excellence/State Sericulture Officer/Food Technology Lab/Quality Control Lab/Govt. Garden Nursery/ Block/Head Quarter having high deficiency in that cadre.
- Every employee shall be responsible for the accuracy and regular updation of data in the Human Resource Management System (HRMS) in respect of his credentials. Otherwise the department shall be at liberty to post them at any office of District Horticulture Officer/Centres of Excellence/State Sericulture Officer/Food Technology Lab/Quality Control Lab/Govt. Garden Nursery/ Block/Head Quarter having high deficiency in that cadre.
- All transfer orders shall be implemented within seven days of the date of issuance. The treasury Offices concerned shall not draw the salary of the employees who have not complied with the orders.
- Distribution of employees at different stations shall be possible only through the mode of regular transfers. No temporary deployment shall be allowed.
- In the event of tie among the same category of employees, preference shall be given to a female employee over male employee.
- In the event of tie among employees of same gender the preference shall be given to the employee who is older in age.
- The employees aggrieved can represent to the Director General, Horticulture, in case of any grievance against the transfer orders under this policy, after joining at new place of posting. Their representation shall be considered in accordance with the policy and appropriate decision shall be conveyed to them as deemed fit.

7. Bar against canvassing:

No employee shall canvass for his case except through a representation to the Head of Department, as per this policy. All other individual representation shall be treated as an attempt to bring extraneous influence on the due process.

8. **Appointment by promotion/direct recruitment:**
Employees inducted in a cadre through direct recruitment/promotion/ repatriation shall be posted at the station of eligibility and availability.
9. **Opportunity of option to certain categories:** The following categories of employees will not be transferred unless they desire to participate in the transfer drive:-
(a) Employees having 12 months or less in retirement on the date of next transfer drive;
(b) Unmarried female employees upon marriage;
(c) Married female employees upon divorce; or
(d) Widow or widower employees on the death of spouse;
They may be pinned to participate in the next transfer drive after the event.
10. **Posting in remote areas:** Incentive for serving on the choice of Anywhere in the State: If an employee opts for 'anywhere in the State' and is thereafter posted in an office in Morni Hills Area or Nuh District against a vacancy for which no employee has opted, he will be paid remuneration@10% of the Basic Pay+ D.A. during the period of said posting provided this incentive shall not be admissible in case of transfer in home district Nuh and Panchkula.
11. **Clarification & Implementation:** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Department in consultation with General Administration Department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.
12. **Power to relax:** Notwithstanding anything contained in the policy, the Administrative Secretary to Govt. of Haryana with the prior approval of the Chief Minister, Haryana shall be competent to transfer an employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

Schedule-A

Sr. No.	Name of Post
1	District Horticulture Officer & Equivalent
2	Horticulture Development Officer & Equivalent
3	Accountant (Field Offices)
4	Clerk (Field Offices)

SUDHIR RAJPAL,
Additional Chief Secretary to Government Haryana,
Agriculture and Farmers' Welfare Department.